

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EDDIE D. ROBINSON,)	
)	
Plaintiff,)	
)	
v.)	Case No. 15 C 8615
)	
OFFICER GREGOIRE and CITY)	
OF CHICAGO,)	
)	
Defendants.)	

MEMORANDUM ORDER

Eddie Robinson ("Robinson") has submitted a 42 U.S.C. § 1983 Complaint against the City of Chicago ("City") and one of the members of its Police Department, an Officer Gregoire, using the form of Complaint supplied by the Clerk's Office for use by prisoner plaintiffs (Robinson is in custody at the Cook County Department of Corrections, referred to here as the "County Jail"). Robinson has accompanied his Complaint with two other Clerk's-Office-supplied documents: an In Forma Pauperis Application ("Application") and a Motion for Attorney Representation ("Motion").

Although Robinson has not complied fully with the provisions of 28 U.S.C. § 1915 ("Section 1915"), a subject to which this memorandum order will return a bit later, his Application and its attached partial report of the transactions in his trust fund account at the County Jail make it clear that he will qualify for the special type of in forma pauperis ("IFP") treatment that Section 1915 prescribes for prisoners who institute federal court lawsuits. Accordingly the Application is granted provisionally.

Because the Motion reflects reasonable efforts by Robinson to obtain counsel on his own, that provisional grant of IFP status carries with it an entitlement to representation by a member of this District Court's trial bar. This Court has accordingly obtained the name of this trial bar member who is designated to represent Robinson in this action:

Andrew Robert Pavlinski
Pavlinski & Associates, PC
180 West Washington
4th Floor
Chicago, Illinois 60614
312-644-1000
E-mail: apavlinski@gmail.com.

Those things in turn call for the issuance of this District Court's customary initial scheduling order, and that is being done contemporaneously with this memorandum order. Except for the City of Chicago, as to which Robinson has clearly stated no claim and which is accordingly dismissed as a defendant sua sponte,¹ it is suggested to Robinson's counsel that [he] [she] might elect to make arrangements for service of process on Officer Gregoire rather than looking to the United States Marshal's Service for that effort.

With all of that said, this memorandum order turns to the Application's shortfall in terms of Section 1915's requirements. As is often the case, Robinson's documents do not disclose the date on which his Complaint was "filed" under the "mailbox rule" prescribed by Houston v. Lack, 487 U.S. 266 (1988) for prisoner plaintiffs, but that deficiency really creates no problem because of the short timespan that elapsed between the September 23 date on which Robinson signed his Complaint and the September 29 date on which his papers were received by the

¹ This dismissal does not of course negate the City's potential liability to pay any compensatory damages that Robinson may recover against the police officer defendant, but that obligation would be a matter of respondeat superior liability under state law.

Clerk's Office. That being the case, this Court will choose one day during that short span as constituting the date of "filing," and that will in turn call for the six-month printout required by Section 1915(a)(2) to extend to that date rather than to the August 11, 2015 final entry that is shown on the printout already tendered to this Court. And because it is almost certainly easier for the court rather than a prisoner to obtain such information on request to the fiscal authorities at custodial institutions, a copy of this memorandum order is being transmitted directly to the County Jail with the request that a supplemental statement be provided to this Court covering the period from August 11 to September 28, 2015. That statement should be marked with this case number (15 C 8615) and sent to this address:

Office of the Clerk
United States District Court
219 South Dearborn Street
Chicago IL 60604.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is fluid and cursive, with the first name "Milton" being more prominent.

Milton I. Shadur
Senior United States District Judge

Date: October 2, 2015